

Appl No. 10/824,889  
paper dated December 2, 2009  
Decision of the Board dated Aug. 13, 2008

### **REMARKS**

Claims 1-39 have been cancelled in their entirety. Applicant is submitting herewith a new set of claims which coincide with the claims that were under appeal before the Board wherein claim 1 is now independent claim 40 which has been amended to add in the language of dependent claim 4 which was allowed by the Board. Dependent claims 2, 3, 5, 6, 7, 11, 14, 15, 16 and 17 are now new claims 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50 since these are dependents from newly amended independent claim 1.

The Board of Appeals had also allowed dependent claim 31 which depended off of independent claim 27. Applicant has amended independent claim 27 to include the language of claim 31 and has canceled claim 31. The new independent claim 27 has been consecutively numbered as new claim 51 and dependent claims 28, 29, and 30 are now dependent claims 52, 53, and 54.

Applicant would request that these claims be entered into the case and the case be granted a Notice of Allowance.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

**Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.**

Respectfully submitted,

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